

# ASSEMBLY, No. 3807

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 16, 2020

**Sponsored by:**

**Assemblyman STERLEY S. STANLEY**

**District 18 (Middlesex)**

**Assemblyman WAYNE P. DEANGELO**

**District 14 (Mercer and Middlesex)**

**Assemblyman JOE DANIELSEN**

**District 17 (Middlesex and Somerset)**

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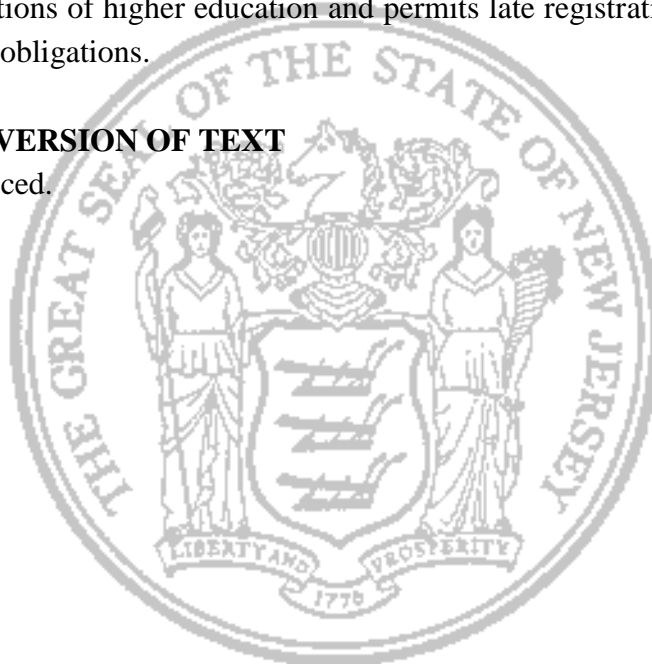
**Assemblyman Dancer, Assemblywomen Murphy, DiMaso, Assemblymen Bergen, Moen, Assemblywoman Mosquera, Assemblyman Houghtaling, Assemblywoman Downey, Assemblymen Space, Wirths and Assemblywoman Swain**

### SYNOPSIS

Establishes certain rights for students with military obligations attending public institutions of higher education and permits late registration for students with military obligations.

### CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/20/2021)

1 AN ACT concerning access to higher education for veterans and  
2 members of the military, amending P.L.1997, c.377, and  
3 supplementing chapter 62 of Title 18A of the New Jersey  
4 Statutes.

5  
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
7 *of New Jersey:*

8  
9 1. Section 1 of P.L.1997, c.377 (C.18A:62-4.2) is amended to  
10 read as follows:

11 1. a. A student at a New Jersey public institution of higher  
12 education who is unable to complete a course **【because the student is**  
13 **called to partial or full mobilization for State or federal active duty as a**  
14 **member of the National Guard or a Reserve component of the Armed**  
15 **Forces of the United States】** due to deployment, mobilization,  
16 reassignment, or other military obligation as a service member shall be  
17 entitled to the options set forth in this section with respect to the  
18 student's grade for the course.

19 b. A student who has completed at least eight weeks of attendance  
20 in a course may choose to:

- 21 (1) receive a letter grade; or  
22 (2) receive a grade of pass or fail; or  
23 (3) receive a grade of incomplete; or  
24 (4) withdraw from the course.

25 c. A student who has completed less than eight weeks of  
26 attendance in a course may choose to:

- 27 (1) receive a grade of incomplete; or  
28 (2) withdraw from the course.

29 d. A letter grade or a grade of pass shall only be awarded if, in the  
30 opinion of the faculty member teaching the course, the student has  
31 completed sufficient work, and there is sufficient evidence of progress  
32 toward meeting the requirements of the course, to justify the grade.

33 e. A grade of incomplete shall remain valid for a period of one  
34 year after the student returns to the New Jersey public institution of  
35 higher education.

36 f. A student who chooses to accept a grade of pass or fail may,  
37 within one year after returning to the New Jersey public institution of  
38 higher education, receive a letter grade for the course by completing  
39 the work required for the course, in which case the letter grade shall  
40 replace the pass or fail grade as the student's grade for the course.

41 g. A student who chooses to withdraw from a course shall receive  
42 a full refund of tuition and fees attributable to that course.

43 h. A student who has paid amounts for room, board or fees shall,  
44 except as provided in subsection g. of this section, receive a refund of  
45 that portion of those amounts attributable to the time period during

**EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is  
not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 which the student did not use the services for which payment was  
2 made.

3 i. Any refund payable to a student who is a financial aid recipient  
4 shall be subject to the applicable State and federal regulations  
5 regarding refunds.

6 j. As used in this section, "service member" means an individual  
7 who is serving as a member of a Reserve component of the Armed  
8 Forces of the United States, or as a member of the National Guard, or  
9 on active duty as a member of the Armed Forces of the United States.

10 (cf: P.L.1997, c.377, s.1)

11  
12 2. (New section) a. As used in this section:

13 "Service member" means an individual who is serving as a  
14 member of a Reserve component of the Armed Forces of the United  
15 States, or as a member of the National Guard , or on active duty as a  
16 member of the Armed Forces of the United States.

17 "Veteran" means an individual who served as a member of a  
18 Reserve component of the Armed Forces of the United States, or as a  
19 member of the National Guard, or on active duty in the Armed Forces  
20 of the United States, and who was honorably discharged or released  
21 under honorable circumstances from active service.

22 b. Notwithstanding any provision of law to the contrary, each  
23 public institution of higher education shall establish policies and  
24 procedures to permit the late registration of a student who is a  
25 veteran or a service member upon the student's return from  
26 deployment, mobilization, reassignment, or other military  
27 obligation. The institution shall not charge a late fee or similar  
28 penalty on a registration submitted pursuant to this subsection.

29 Nothing in this subsection shall be construed to require any  
30 public institution of higher education to admit a student or to waive  
31 its admission standards.

32  
33 3. This act shall take effect immediately and shall first apply to  
34 the first full academic year following the date of enactment.

35  
36  
37 STATEMENT

38  
39 P.L.1997, c.377 (C.18A:62-4.2) currently provides that a student  
40 at a public institution of higher education who is unable to complete  
41 a course due to being called to partial or full mobilization for State  
42 or federal active duty as a member of the National Guard or a  
43 Reserve component of the Armed Forces of the United States is  
44 entitled to certain options with respect to the student's grade for the  
45 course, and for the refund of tuition, fees, and room and board. As  
46 amended, this bill broadens the scope of the law to benefit a wider  
47 military community that includes service members who are unable

1 to complete a course due to deployment, mobilization,  
2 reassignment, or other military obligation.

3 Under the bill, “service member” means an individual who is  
4 serving on active duty as a member of the Armed Forces of the United  
5 States, or as a member of a Reserve component of the Armed Forces  
6 of the United States or the National Guard. A “veteran” is defined as  
7 an individual who served on active duty in the Armed Forces of the  
8 United States, or who served as a member of a Reserve component of  
9 the Armed Forces of the United States or the National Guard, and who  
10 was honorably discharged or released under honorable circumstances  
11 from active service.

12 The bill also directs each public institution of higher education  
13 to establish policies and procedures to permit the late registration of  
14 a student who is a veteran or a service member upon the student’s  
15 return from deployment, mobilization, reassignment, or other  
16 military obligation. Under the bill, the institution cannot charge a  
17 late fee or similar penalty on a registration submitted pursuant to  
18 the bill’s provisions.